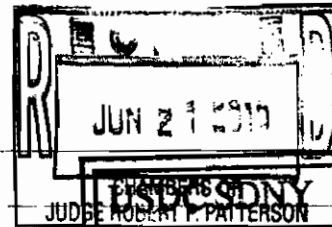


MEMO ENDORSED

09 CR. 192(RPP)



6/17/10

Dear Honorable Judge Patterson,

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 6/22/10

I've sent you a request pursuant to Rule 35.(2) in regards to a sentencing error which took place before you on 5/10/10.

The Hearing request was dated about 5/13/10, requesting a Hearing pursuant to Rule 35.(2)

My Hearing request i sent to you pursuant to rule 35.(2) was within the 7 day time period under the law, and pursuant to Rule 12(B) the Court has to respond to my motion under Rule 35.(2) because it was within the 7 day time period under the law.

I Therefore am requesting a response to my motion pursuant to Rule 12(B) for a hearing under Rule 35.(2)

Thank you in advance,

John Madden

P.S. I sent my Hearing request pursuant to 35.(2) as a result to my attorney MR. Ruggiero refusing to file a request in my behalf.

SEE ATTACHED TYPEWRITTEN
MEMO ENDORSEMENT

Applicators David
If Defendants are represented by bond, all motions are to be filed by counsel. Your
letter was received on May 19, 2010 was imdated 4/21/10 and states you are requesting
your attorney to request a hearing pursuant to Rule 35.(2) your attorney did not do so. Initial
the filed a notice of appeal on May 17, 2010. So ordered RPP/PLH - C 0907-01/10

Case: U.S. v. John Madden
Index No. 09 Cr. 192 (RPP)

MEMO ENDORSEMENT READS:

Application denied.

If Defendants are represented by counsel, all motions are to be filed by Counsel. Your letter, which received on May 19, 2010, was misdated 4/21/10 and states you are requesting your attorney to request a hearing pursuant to Rule 35(a). Your attorney did not do so. Instead, he filed a notice of appeal on May 17, 2010.

So Ordered.

Robert P. Patterson, Jr., U.S.D.J., 6/21/10